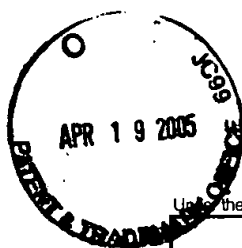


4-21-05

Ifw



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                |                        |                    |
|---|----------------|------------------------|--------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> |                | Application Number     | 10/694,928         |
|   |                | Filing Date            | October 27, 2003   |
|   |                | First Named Inventor   | Ian Andrew MAXWELL |
|   |                | Art Unit               | 2883               |
|   |                | Examiner Name          | D. Dupuis          |
| Total Number of Pages in This Submission  | 6 + 2<br>Refs. | Attorney Docket Number | 304122000600       |

**ENCLOSURES (Check all that apply)**

|  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1. Form PTO/SB/08a/b (1 page in duplicate)<br>2. References (2)<br>3. Return Receipt Postcard |
| <div style="border: 1px solid black; padding: 5px;">Remarks</div>  |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |  |          |        |
|--------------|--|----------|--------|
| Firm Name    | MORRISON & FOERSTER LLP (Customer No. 25226) |          |        |
| Signature    |  |          |        |
| Printed name | Bryan H. Wyman                               |          |        |
| Date         | April 19, 2005                               | Reg. No. | 48,049 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV544977853US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 19, 2005

Signature:

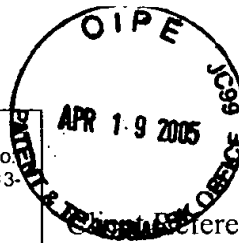
(Georgina Matos)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV544977853US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: April 19, 2005

Signature:

*Georgina Matos*  
(Georgina Matos)



Patent

Docket No. 304122000600

Reference No. 40639USP00 CWT/hcm

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ian Andrew MAXWELL et al.

Serial No.: 10/694,928

Filing Date: October 27, 2003

For: PLANAR WAVEGUIDE WITH  
PATTERNED CLADDING AND  
METHOD FOR PRODUCING SAME

Examiner: D. Dupuis

Group Art Unit: 2883

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of the foreign document and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Application Serial No. 10/694,928

The documents listed on the attached Form PTO/SB/08a/b were cited in an International Search Report mailed on December 22, 2004, directed to a counterpart international or foreign application and have not been previously cited.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \_\_\_ is enclosed.
  - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.


Application Serial No. 10/694,928

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 304122000600.

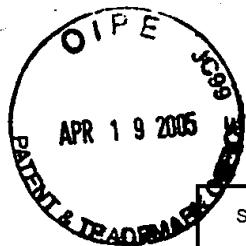
Dated: April 19, 2005

Respectfully submitted,

By 

Bryan H. Wyman

Registration No.: 48,049  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5779



ALTERNATIVE TO PTO/SB/08a/b (06-03)

|  |   |    |   |                          |                    |
|--|---|----|---|--------------------------|--------------------|
| <b>Substitute for form 1449/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(Use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                    |
|  |   |    |   | Application Number       | 10/694,928         |
|  |   |    |   | Filing Date              | October 27, 2003   |
|  |   |    |   | First Named Inventor     | Ian Andrew MAXWELL |
|  |   |    |   | Art Unit                 | 2883               |
|  |   |    |   | Examiner Name            | D. Dupuis          |
| Sheet  | 1 | of | 1 | Attorney Docket Number   | 304122000600       |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       | 1.                       | US-2002/0122648-A1                       | 09-05-2002                     | Mule' et al.                                       |   |
|                       | 2.                       | US-2002/0136481-A1                       | 09-26-2002                     | Mule' et al.                                       |   |
|                       | 3.                       | US-5,253,319-A                           | 10-12-1993                     | Bhagavatula  |   |
|                       | 4.                       | US-5,352,566-A                           | 10-04-1994                     | Springer et al.                                    |   |
|                       | 5.                       | US-5,432,877-A                           | 07-11-1995                     | Sun et al.   |   |
|                       | 6.                       | US-5,612,171-A                           | 03-18-1997                     | Bhagavatula  |   |
|                       | 7.                       | US-6,341,189-B1                          | 01-22-2002                     | Deacon   |   |
|                       | 8.                       | US-6,785,458-B2                          | 08-31-2004                     | Mule' et al.                                       |   |
|                       | 9.                       | US-6,807,352-B2                          | 10-19-2004                     | Mule' et al.                                       |   |

| FOREIGN PATENT DOCUMENTS |                       |  |                                |   |   |                |
|--------------------------|-----------------------|--|--------------------------------|---|---|----------------|
| Examiner Initials*       | Cite No. <sup>1</sup> | Foreign Patent Document  | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> ) |                                |   |   |                |
|                          | 10.                   | EP-1 058 135-A1  | 12-06-2000                     | British Telecommunications                      |   |                |

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 | 11.                      | International Search Report mailed on December 22, 2004 for PCT patent application no. PCT/AU2004/001412 filed on October 14, 2004, 4 pages.  |                |

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

pa-972905